This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. (currently amended) A beverage container ~~comprises~~ comprising:

a hollow body member with opposed ends,

a bottom member at one end and

a cap member covering an opening at the opposite end thereof, the cap member being sealingly fixed to the body member at said opposite end and in a manner forming a rim at about the periphery of said opposite end,

the cap member having:

a circular center panel, and

an annular groove located radially outward from the center panel and ~~a substantially ring-shaped countersink at a position~~ adjacent to the rim and

a filler material ~~arranged in the countersink~~ (i) covering the groove and (ii) smoothly merging with the upper surface of the center panel,

~~and being configured so that an exterior surface thereof extending radially inwardly from a position adjacent to the countersink is substantially flat or continuous, or has a slight curvature~~.

2. (currently amended) A cap member for covering an open end of a beverage container having a hollow body member, the cap member ~~is arranged with~~ comprising:

a peripheral curl for forming a rim, ~~forming portion at its periphery~~

a circular center panel, and

~~a substantially ring-shaped countersink at a position~~ an annular groove located radially outwardly from the center panel and adjacent to the ~~rim forming position~~ peripheral curl, and

a filler material ~~arranged in the countersink~~ (i) covering the groove and (ii) smoothly merging with the upper surface of the center panel

~~and is configured so that an exterior surface thereof extending radially inwardly from a position adjacent to the countersink is substantially flat or continuous, or has a slight curvature~~.

.

3. (currently amended) The beverage container ~~invention~~ according to ~~claim 2~~ claim 1 wherein the cap member and the body member are arranged for removably fixing the cap member to the body member.

4. (currently amended) The beverage container ~~invention~~ according to claim 1 [[or 2]] wherein the cap member is configured so that its mid-point is relatively higher than its portion adjacent to the rim or rim forming portion.

5. (currently amended) The beverage container ~~invention~~ according to claim 1 [[or 2]] wherein the cap member ~~having~~ includes one or more ribs or ridges formed on its interior surface and/or exterior surface for improving its structural strength.

6. (currently amended) The beverage container ~~invention~~ according to claim 1 [[or 2]] wherein the filler material extends to about the same level as ~~a region of the cap member radially inward therefrom~~ the center panel.

7. (currently amended) The beverage container ~~invention~~ according to claim 1 [[or 2]] wherein the cap member has a scored region ~~and means for assisting separation of the scored region from the rest of the cap member, when the scored region is separated the cap member presents~~ for forming a pouring aperture for dispensing beverage contained in the container and a pull tab.

8. (currently amended) The beverage container ~~invention~~ according to claim 7 wherein one or more parts of the cap member surrounding the pour aperture is shaped so that any spillage of beverage may flow automatically back into the container through the aperture.

9. (currently amended) The beverage container ~~invention~~ according to claim 1 [[or 2]] wherein the filler material can be a natural or synthetic material or a material approved for use in or on a drink container.

10. (currently amended) The beverage container ~~invention~~ according to claim 1 [[or 2]] wherein the filler material is an adhesive material provided in the countersink and set therein.

11. (currently amended) The beverage container ~~invention~~ according to claim 1 [[or 2]] wherein the filler material is a ring of rubber or plastic insert element adapted for insertion in the countersink and fixed therein ~~by fixing means~~.

12. (currently amended) The beverage container ~~invention~~ according to claim 11 further comprising ~~wherein the fixing means including~~ an adhesive for fixing the filler

material in the groove. ~~and/or mechanical deformation of the cap at the countersink or of the filler material~~.

13. (currently amended) The beverage container ~~invention~~ according to ~~claim 12 wherein the~~ claim 11 further comprising a mechanical deformation for fixing the filler material in the groove, the mechanical deformation comprises one or more wedge portions projecting into one side or opposite sides of the filler material~~, the or each wedge portion is arranged to project into one side or opposite sides of the filler material~~.

14. (currently amended) The beverage container ~~invention~~ according to claim 13 wherein the wedge portion or portions extends laterally or longitudinally or at any angular direction, or in a combination of alternate lateral and/or longitudinal directions and/or angular directions.

15. (currently amended) The beverage container ~~invention~~ according to ~~claim 12 wherein the~~ claim 11 further comprising a mechanical deformation for fixing the filler material in the groove, the mechanical deformation comprises one or more deformable portions on the filler material and the deformable portion(s) are arranged so that upon insertion of the filler material into the countersink the deformable potions flow or deform in a manner which in cooperation with the sides of the countersink fixes the filler material therein.

16. (currently amended) The beverage container ~~invention~~ according to ~~claim 12 wherein the~~ claim 11 further comprising a mechanical deformation that comprises a suction portion formed on the filler material, [[and]] the suction portion upon insertion in the countersink fixes to a surface of the countersink and thereby fixes the filler material in the countersink.

17. (new) The beverage container according to claim 1 wherein the center panel is configured in a manner so that an exterior surface thereof extending radially inwardly from the countersink is substantially flat or continuous, or has a slight curvature.

18. (new) The cap member according to claim 2 wherein the filler material extends to about the same level as the center panel.

19. (new) The cap member according to claim 2 further comprising a scored region for forming a pour aperture and a pull tab.

20. (new) The cap member according to claim 19 wherein one or more parts of the cap member surrounding the pour aperture is shaped so that any spillage of beverage may flow automatically back into the container through the aperture.

21. (new) The cap member according to claim 2 wherein the filler material comprises a natural material suitable for use in or on a drink container.

22. (new) The cap member according to claim 2 wherein the filler material comprises a synthetic material suitable for use in or on a drink container.

23. (new) The cap member according to claim 2 wherein the filler material is an adhesive material..

24. (new) The cap member according to claim 2 wherein the filler material is a ring of rubber or plastic insert element adapted for insertion in the groove and fixed therein.

25. (new) The cap member according to claim 24 further comprising an adhesive for fixing the filler material in the groove.

26. (new) The cap member according to claim 2 wherein the cap includes a mechanical deformation of at least one of the cap and the filler material.

27. (new) The cap member according to claim 26 wherein the mechanical deformation comprises one or more wedge portions projecting into the filler material, each wedge portion projects into at least one side of the filler material.

28. (new) The cap member according to claim 27 wherein each wedge portion projects into opposite sides of the filler material

29. (new) The cap member according to claim 27 wherein each wedge portion extends laterally or longitudinally or at any angular direction, or in a combination of alternate lateral and/or longitudinal directions and/or angular directions.

30. (new) The cap member according to claim 26 wherein the mechanical deformation includes at least one deformable portion on the filler material and the deformable portion(s) are arranged so that upon insertion of the filler material into the countersink the deformable potions flow or deform in a manner which in cooperation with the sides of the countersink fixes the filler material therein.

31. (new) The cap member according to claim 26 wherein the mechanical deformation comprises a suction portion formed on the filler material, the suction portion

upon insertion in the countersink fixes to a surface of the countersink and thereby fixes the filler material in the countersink.

32. (new) The cap member according to claim 2 wherein the center panel is configured in a manner so that an exterior surface thereof extending radially inwardly from the countersink is substantially flat or continuous, or has a slight curvature